

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: 05/03/2017
POSITION: Oppose

BILL NUMBER: AB 1261
AUTHOR: Berman, Marc

BILL SUMMARY: Pupil discipline: pupil suicide prevention.

This bill requires applicable local educational agencies (LEA) that have a mandatory expulsion policy or zero tolerance policy for pupils possessing, or under the influence of, alcohol or a controlled substance to consider whether the mandatory expulsion policy or zero tolerance policy is deterring pupils from seeking help for substance abuse.

FISCAL SUMMARY

This bill would likely result in a reimbursable state mandate that could cost tens of thousands to hundreds of thousands of dollars Proposition 98 General Fund by requiring applicable LEAs to consider whether their mandatory expulsion policy or zero tolerance policy is deterring pupils from seeking help for alcohol or substance abuse. The ultimate cost of the required activity would depend primarily on how much time and effort LEAs commit to "considering" the effect of their mandatory expulsion policy or zero tolerance policy.

COMMENTS

The Department of Finance opposes this bill for the following reasons:

- The bill would likely create a reimbursable state mandate that could cost tens of thousands to hundreds of thousands of dollars Proposition 98 General Fund by requiring applicable LEAs to consider whether their mandatory expulsion policy or zero tolerance policy related to alcohol and illegal substances is deterring pupils from seeking help for alcohol and substance abuse.
- Mandated programs are effectively unfunded categorical programs where the state has no control over the ultimate cost of the program. Creating new programs without fiscal constraints or controls is counterproductive to the Administration's efforts to sustain a balanced budget.

Current law as established by Chapter 642, Statutes of 2016 (AB 2246, O'Donnell), requires LEAs that serve students in grades 7 to 12 to adopt a specified policy on pupil suicide prevention. As applicable LEAs develop the required pupil suicide prevention policy, this bill requires LEAs serving grades 7 to 12 and that have a mandatory expulsion policy or zero tolerance policy for the use of, possession of, or being under the influence of, alcohol, an intoxicant, or a controlled substance, to consider whether the mandatory expulsion policy or zero tolerance policy is deterring pupils from seeking help for substance abuse.

This bill also authorizes LEAs to refer a pupil to a mental health professional as a means of behavior correction when considering pupil suspension.

Analyst/Principal (0332) E.Hanson	Date	Program Budget Manager Jeff Bell	Date
Department Deputy Director		Date	
Governor's Office:	By:	Date:	Position Approved _____ Position Disapproved _____
BILL ANALYSIS			Form DF-43 (Rev 03/95 Buff)

BILL ANALYSIS--(CONTINUED)**Form DF-43****AUTHOR****AMENDMENT DATE****BILL NUMBER**

Berman, Marc

05/03/2017

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Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)					
	LA	(Dollars in Thousands)					
	CO	PROP				Fund	
	RV	98	FC	2017-2018	FC	2018-2019	FC 2019-2020 Code
6100/Dep of Educ	LA	Yes	A	13-250	A	25-500	A 25-500 0001